

In the Matter of )  
 )  
Section 63.71 Application of )  
Broadview Networks, Inc., for )  
Authority Pursuant to Section 214 of the )  
Communications Act of 1934, as amended, )  
To Discontinue the Provision of Service )

Broadview Networks, Inc. (“Broadview”), applies for authority under Section 214(a) of the Communications Act, as amended (the “Act”), 47 U.S.C. §214, and Section 63.71 of the Federal Communications Commission’s (“Commission”) rules, 47 C.F.R. §63.71, to discontinue Broadview HPBX Service (“Broadview HPBX”) in the States of New York and New Jersey.

**Name and Address of Carrier (47 C.F.R. §§63.71(a)(1), (b)(2)):**

**Date of Planned Service Discontinuance (47 C.F.R. §§63.71(a)(1), (b)(2)):**

Broadview plans to discontinue Broadview HPBX on or after June 1, 2015,  
subject to Commission authorization of discontinuance pursuant to 47 C.F.R. §63.71(c).

**Brief Description of Type of Service Affected (47 C.F.R. §§63.71(a)(3), (b)(2)):**

Broadview HPBX is a VoIP-enabled hosted private branch exchange (“PBX”) service. Broadview HPBX is a technologically antiquated service configuration which Broadview inherited a number of years ago as part of the existing service offering of an entity which has been acquired by Broadview pursuant to FCC and State Commission rules and regulations. Broadview has recently made the business decision that continued maintenance of this outdated service offering is no longer advisable as an economic matter and that Broadview HPBX should be retired, especially since retirement of Broadview HPBX can be accomplished without harm to any customer. At the present time, only a total of 14 commercial customers continue to utilize Broadview HPBX in the States of New York and New Jersey. Broadview has extended an offer to convert its Broadview HPBX customers to any of Broadview’s other service offerings, including Broadview’s Officesuite product, which represents a significant upgrade in terms of both service quality and functionalities over Broadview HPBX. Virtually all of Broadview’s HPBX customers have availed themselves of these other available service options, converting, with Broadview’s assistance, either to Officesuite or to another Broadview product. Furthermore, the full panoply of Broadview services remain available to the final 14 commercial customers which have not yet selected an alternative Broadview service or opted to migrate to a new service provider. Broadview is continuing to work with these final existing customers to put new service arrangements in place should they so desire. No residential customers will be affected by the proposed service discontinuance. Accordingly, the public convenience and necessity will not be impaired by this service discontinuance.

**Brief Description of the Dates and Methods of Notice to All Affected Customers (47 C.F.R. §63.71(b)(3)):**

As noted above, only 14 of Broadview's commercial customers continue to utilize Broadview HPBX throughout the States of New York and New Jersey and no residential customers utilize Broadview HPBX. These few remaining Broadview HPBX customers have been repeatedly advised of the proposed service discontinuance throughout recent months as Broadview staff has worked with affected customers to effectuate alternative service arrangements. Nonetheless, in accordance with FCC Rules, on April 27, 2015, Broadview also sent written notice of the anticipated discontinuance of Broadview HPBX to all customers which will be affected by such discontinuance; this notice was sent to each customer's regular record address for the delivery of all correspondence, including monthly service bills, via U.S. Mail, postage prepaid. The text of such notices is set forth hereto at Attachment A.

Copies of this Application are being sent, First Class U.S. Mail, to the public utility commissions and the Governors of the affected states and also to the Special Assistant for Telecommunications to the Secretary of Defense, as required by §63.71(a) of the Commission's Rules.

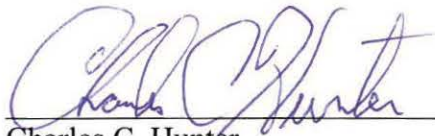
**Regulatory Classification of Carrier (47 C.F.R. §63.71(b)(4)):**

Broadview is considered non-dominant with respect to the service to be discontinued. Questions about this Application may be addressed to Charles C. Hunter, Executive Vice President and General Counsel of Broadview Networks, Inc., 800 Westchester Avenue, Suite N-501, Rye Brook, NY 10573, (914) 922-7589, or [chunter@broadviewnet.com](mailto:chunter@broadviewnet.com).

**Conclusion:**

The public convenience and necessity will not be adversely affected by the discontinuance of Broadview HPBX in the States of New York and New Jersey since there is very low demand for Broadview HPBX and various alternatives for Broadview HPBX remain available to those final 14 New York and New Jersey commercial customers which have not yet transitioned to an alternative Broadview service or an alternative service provider. Broadview respectfully requests that the Commission approve its Section 63.71 Application.

Respectfully submitted,



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Charles C. Hunter  
Executive Vice President and General  
Counsel  
Broadview Networks, Inc.  
800 Westchester Avenue, Suite N-501  
Rye Brook, NY 10573

(914) 922-7589

Its Attorney

April 29, 2015

## **ATTACHMENT A**





Making Connections That Make a Difference

800 Westchester Ave.  
Suite N-501  
Rye Brook, NY 10573  
914-922-7000  
800-276-2384

April 27, 2015

*[name and address of customer  
redacted to remove CPNI]*

Dear Broadview HPBX customer:

As you are aware, Broadview has recently made the business decision to discontinue the offering of Broadview HPBX in the States of New York and New Jersey. In accordance with Federal Communications Commission Rules, please be advised of the following:

**Service Withdrawal.**

Pending regulatory approval, where applicable, on or after June 1, 2015, Broadview Networks, Inc., will no longer offer HPBX Service in the States of New York and New Jersey. The discontinuance of Broadview HPBX Service will not impact any other Broadview Network, Inc., services offered in the States of New York or New Jersey. The FCC will normally authorize this proposed discontinuance of service (or reduction or impairment) unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, D.C. 20554, and include in your comments a reference to the §63.71 Application of Broadview Networks, Inc. Comments should include specific information about the impact of this proposed discontinuance (or reduction or impairment) upon you or your company, including any inability to acquire reasonable substitute service. Broadview's Service Representatives are ready to assist you, and can be reached at the toll-free number on your bill, or visit our website at [www.broadviewnet.com](http://www.broadviewnet.com).

Thank you, Broadview Networks, Inc.

**CERTIFICATE OF SERVICE**

I, Kim Cole, certify that I have, on this 29th day of April, 2015, served copies of the foregoing Section 63.71 Application of Broadview Networks, Inc., by U.S. Mail, postage prepaid, to the following:

New York State Public Service Commission  
Empire State Plaza  
Agency Building 3  
Albany, NY 12223-1350

Office of the Governor  
State Capitol  
Albany, NY 12224

New Jersey Board of Public Utilities  
44 S. Clinton Avenue  
Trenton, NJ 08625

Governor Chris Christie  
P. O. Box Office of the Governor 001  
Trenton, NJ 08625

Secretary of Defense  
Attn: Special Assistant for Telecommunications  
Pentagon  
Washington, D.C. 20301

A handwritten signature in cursive script, reading "Kimberly J. Cole", written over a horizontal line.